

Nanda P.B.A. Kumar  
Direct Phone: 215.241.7991  
Email: nkumar@reedsmith.com

Reed Smith LLP  
2500 One Liberty Place  
1650 Market Street  
Philadelphia, PA 19103-7301  
215.851.8100  
Fax 215.851.1420

April 25, 2006


**Mail Stop PCT**  
Attention: PCT Legal  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: New Utility Patent Application  
Inventors: Suri *et al.*  
Applicant: Morepen Laboratories Limited  
For: An Improved Method For The Preparation Of Montelukast  
Acid And Sodium Salt Thereof In Amorphous Form  
Docket No. 06-40079-US (884384.20004)

Dear Sir:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Form PTO-1390);
3. Preliminary Amendment
4. International Publication WO 2004/108679;
5. Declaration and Power of Attorney (5 pages);
6. Credit Card Payment Form in the amount of \$2,400.00 (\$900.00 U.S. National Phase Application Fees, \$1,500.00 Petition to Revive Fee)
7. Return Receipt Postage Prepaid Postcard.

Respectfully submitted,



Nanda P.B.A. Kumar  
Registration No. 44,853  
Attorney for Applicant

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EV 699479175 US

Date of Deposit April 25, 2006

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" on the date indicated above and is addressed to MAIL STOP PCT, Attention PCT Legal, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name: *Nanda P.B.A. Kumar*

Signature: *Nanda P.B.A. Kumar*

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 06-40079-US  U.S. APPLICATION NO. (If known) see 37 CFR 1.5) Not Yet Assigned <b>10/15/76971</b>
INTERNATIONAL APPLICATION NO. PCT/IN2003/000214	INTERNATIONAL FILING DATE June 6, 2003	PRIORITY DATE CLAIMED
TITLE OF INVENTION AN IMPROVED METHOD FOR THE PREPARATION OF MONTELUKAST ACID AND SODIUM SALT THEREOF IN AMORPHOUS FORM		
APPLICANT(S) FOR DO/EO/US SURI, Sanjay, SINGH Jujhhar, SARIN, Gurdeep, Singh, TANWAR, Madan, Pal, MAHENDRU, Manu		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Not Yet Assigned <b>10/576971</b>	INTERNATIONAL APPLICATION NO. PCT/IN2003/000214	ATTORNEY'S DOCKET NUMBER 06-40079-US
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20. Other items or information:

PCT Publication No. WO 2004/108679, Petition for Revival of an Application for Patent Abandoned Unintentionally, Return Receipt Postcard

The following fees have been submitted	CALCULATIONS	PTO USE ONLY																				
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300	\$ 300.00																					
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))																						
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0	\$ 200.00																					
All other situations..... \$200																						
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))																						
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0																						
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100	\$ 400.00																					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400																						
All other situations..... \$500																						
<b>TOTAL OF 21, 22 and 23 =</b>	<b>900.00</b>																					
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width: 40%;">RATE</th> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td>1.22</td> <td>x \$250</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =	1.22	x \$250	\$													
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- 100 =	/50 =	1.22	x \$250																			
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	\$																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> <th style="width: 40%;">\$</th> </tr> <tr> <td>Total claims</td> <td>20 - 20 =</td> <td>0</td> <td>x \$ 50</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$200</td> <td>\$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360</td> <td>\$</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	20 - 20 =	0	x \$ 50	\$	Independent claims	3 - 3 =	0	x \$200	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																		
Total claims	20 - 20 =	0	x \$ 50	\$																		
Independent claims	3 - 3 =	0	x \$200	\$																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$																		
<b>TOTAL OF ABOVE CALCULATIONS =</b>	<b>\$ 900.00</b>																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.																						
<b>SUBTOTAL =</b>	<b>\$ 900.00</b>																					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	\$																					
<b>TOTAL NATIONAL FEE =</b>	<b>\$ 900.00</b>																					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$																					
<b>TOTAL FEES ENCLOSED =</b>	<b>\$ 900.00</b>																					
	Amount to be refunded:	\$																				
	Amount to be charged	\$																				

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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 18-0586. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Louis M. Heidelberger  
Reed Smith LLP  
2500 One Liberty Place  
1650 Market Street  
Philadelphia, PA 19103

  
\_\_\_\_\_  
SIGNATURE

Nanda P.B.A. Kumar  
\_\_\_\_\_  
NAME

44,853  
\_\_\_\_\_  
REGISTRATION NUMBER